

§ 927.126

regular and C.A. storage by variety or subvariety, and such other information as may be requested from the Fresh Pear Committee for the time period specified.

(d) Each handler who has shipped less than 2,500 44-pound net weight standard boxes or container equivalents of fresh pears during any reporting period of the shipping season may, in lieu of reporting as provided in (a) and (b) of this section, report as follows:

(1) At completion of harvest, on the next reporting date, furnish to the Fresh Pear Committee a "Handlers Packout Report";

(2) After unreported shipments total 2,500 44-pound net weight standard boxes or container equivalents of fresh pears, furnish to the Fresh Pear Committee a "Handler's Statement of Fresh Pear Shipments" and a "Handler's Packout Report" on the next reporting date;

(3) After completion of all shipments from regular storage (i.e. non-C.A. storage), furnish to the Fresh Pear Committee a "Handler's Statement of Fresh Pear Shipments" and a "Handler's Packout Report" on the next reporting date;

(4) At mid-season for C.A. storage, at a date established by the Fresh Pear Committee, furnish to the Fresh Pear Committee a "Handler's Statement of Fresh Pear Shipments", and a "Handler's Packout Report"; and

(5) At the completion of all seasonal pear shipments, furnish to the Fresh Pear Committee a "Handler's Statement of Fresh Pear Shipments" and a "Handler's Packout Report", on the next reporting date. Each of these reports shall be marked "final report" and include an explanation of the actual shipments versus the original estimate, if different.

(e) Each handler shall specify on each bill of lading covering each shipment, the variety or subvariety and quantity of all pears included in that shipment.

[71 FR 7677, Feb. 14, 2006]

§ 927.126 Processed pear reports.

(a) Each handler shall furnish to the Processed Pear Committee annually on a date established by the Processed Pear Committee the "Processed Pear

7 CFR Ch. IX (1-1-10 Edition)

Assessment Report" containing the following information:

(1) The name of the processor(s) or firm(s) to whom pears were sold;

(2) The quantity of each variety or subvariety of pears shipped by that handler;

(3) The crop year covered in the report;

(4) The assessment payment due and enclosed;

(5) The name and address of such handler; and

(6) Other information as may be requested by the Processed Pear Committee.

(b) Each handler shall specify on each bill of lading covering each shipment, the variety or subvariety and quantity of all pears included in that shipment.

[71 FR 7677, Feb. 14, 2006]

§ 927.142 [Reserved]

ASSESSMENT RATE

§ 927.236 Fresh pear assessment rate.

On and after July 1, 2005, the following base rates of assessment for fresh pears are established for the Fresh Pear Committee:

(a) \$0.366 per 44-pound net weight standard box or container equivalent for any or all varieties or subvarieties of fresh pears classified as "summer/fall";

(b) \$0.501 per 44-pound net weight standard box or container equivalent for any or all varieties or subvarieties of fresh pears classified as "winter"; and

(c) \$0.000 per 44-pound net weight standard box or container equivalent for any or all varieties or subvarieties of fresh pears classified as "other".

[71 FR 7677, Feb. 14, 2006]

§ 927.237 Processed pear assessment rate.

On or after July 1, 2009, the following base rates of assessment for pears for processing are established for the Processed Pear Committee:

(a) \$8.41 per ton for any or all varieties or subvarieties of pears for canning classified as "summer/fall" excluding pears for other methods of processing;

Agricultural Marketing Service, USDA

Pt. 929

(b) \$0.00 per ton for any or all varieties or subvarieties of pears for processing classified as “winter”; and

(c) \$0.00 per ton for any or all varieties or subvarieties of pears for processing classified as “other”.

[71 FR 7677, Feb. 14, 2006, as amended at 74 FR 52667, Oct. 14, 2009]

§ 927.316 Handling regulation.

During the period August 15 through November 1, no person shall handle any fresh Beurre D’Anjou variety of pears for shipments to North America (Continental United States, Mexico, or Canada), unless such pears meet the following requirements:

(a) Fresh Beurre D’Anjou variety of pears shall have a certification by the Federal-State Inspection Service, issued prior to shipment, showing that the core/pulp temperature of such pears has been lowered to 35 degrees Fahrenheit or less and any such pears have an average pressure test of 14 pounds or less. The handler shall submit, or cause to be submitted, a copy of the certificate issued on the shipment to the Fresh Pear Committee.

(b) Each handler may ship on any one conveyance 8,800 pounds or less of fresh Beurre D’Anjou variety of pears without regard to the quality and inspection requirements in paragraph (a) of this section.

[71 FR 7677, Feb. 14, 2006]

PART 929—CRANBERRIES GROWN IN STATES OF MASSACHUSETTS, RHODE ISLAND, CONNECTICUT, NEW JERSEY, WISCONSIN, MICHIGAN, MINNESOTA, OREGON, WASHINGTON, AND LONG ISLAND IN THE STATE OF NEW YORK

Subpart—Order Regulating Handling

DEFINITIONS

Sec.

- 929.1 Secretary.
- 929.2 Act.
- 929.3 Person.
- 929.4 Production area.
- 929.5 Cranberries.
- 929.6 Fiscal period.
- 929.7 Committee.
- 929.8 Grower.
- 929.9 Handler.

- 929.10 Handle.
- 929.11 To can, freeze, or dehydrate.
- 929.12 Acquire.
- 929.13 Sales history.
- 929.14 Marketable quantity.
- 929.15 Annual allotment.
- 929.17 Barrel.

ADMINISTRATIVE BODY

- 929.20 Establishment and membership.
- 929.21 Term of office.
- 929.22 Nomination.
- 929.23 Selection.
- 929.24 Failure to nominate.
- 929.25 Acceptance.
- 929.26 Vacancies.
- 929.27 Alternate members.
- 929.28 Redistricting and Reapportionment.
- 929.30 Powers.
- 929.31 Duties.
- 929.32 Procedure.
- 929.33 Expenses and compensation.

EXPENSES AND ASSESSMENTS

- 929.40 Expenses.
- 929.41 Assessments.
- 929.42 Accounting.

RESEARCH

- 929.45 Research and development.

REGULATIONS

- 929.46 Marketing policy.
- 929.48 Sales history.
- 929.49 Marketable quantity, allotment percentage, and annual allotment.
- 929.50 Transfers.
- 929.51 Recommendations for regulation.
- 929.52 Issuance of regulations.
- 929.53 Modification, suspension, or termination of regulations.
- 929.54 Withholding.
- 929.55 Interhandler transfer.
- 929.56 Special provisions relating to withheld (restricted) cranberries.
- 929.57 Outlets for restricted cranberries.
- 929.58 Exemption.
- 929.59 Excess cranberries.

REPORTS AND RECORDS

- 929.60 Handling for special purposes.
- 929.61 Outlets for excess cranberries.
- 929.62 Reports.
- 929.63 Records.
- 929.64 Verification of reports and records.
- 929.65 Confidential information.

MISCELLANEOUS PROVISIONS

- 929.66 Compliance.
- 929.67 Right of the Secretary.
- 929.68 Effective time.
- 929.69 Termination.
- 929.70 Proceedings after termination.
- 929.71 Effect of termination or amendment.
- 929.72 Duration of immunities.